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V
Patent
261/246

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
LAZARESCU et al.) Group Art Unit: Not Yet Assigned
Serial No.: 09/847,642) Examiner: Not Yet Assigned
Filed: May 1, 2001)
For: SYSTEM AND METHOD FOR)
PERFORMING SOFTWARE)
PERFORMANCE ESTIMATIONS)

AMENDMENT TRANSMITTAL

Box Amendments
Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment for the above-identified application.

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EL 476731536US
Express Mail Label No.

August 30, 2001
Date of Deposit

Tillie Mead
Name of Person Mailing Paper
Tillie Mead
Signature of Person Mailing Paper

- Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
1 month	<input type="checkbox"/> \$55.00	<input type="checkbox"/> \$110.00
2 months	<input type="checkbox"/> \$195.00	<input type="checkbox"/> \$390.00
3 months	<input type="checkbox"/> \$445.00	<input type="checkbox"/> \$890.00
4 months	<input type="checkbox"/> \$695.00	<input type="checkbox"/> \$1,390.00
5 months	<input type="checkbox"/> \$945.00	<input type="checkbox"/> \$1,890.00

- An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.
- Extension fee due with this Request _____.
- If an additional extension of time is required, please consider this a petition therefor.

FEES FOR CLAIMS:

- Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

Total Claims	60	-	20	=	40	x	\$18.00	\$720.00				
Independent Claims	7	-	3	=	4	x	\$80.00	\$320.00				
Multiple Dependent Claims	\$270		(if applicable)				<input type="checkbox"/>	\$0.00				
TOTAL OF ABOVE CALCULATIONS								\$1,040.00				
Reduction by ½ for Filing by Small Entity.								<input type="checkbox"/> \$0.00				
Note 37 CFR §§ 1.9, 1.27, 1.28.								<input type="checkbox"/>				
TOTAL FEES FOR CLAIMS SUBMITTED HEREWITH								\$1,040.00				
0								0				

- A check in the amount of _____ is enclosed to cover the above fee(s).
- Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of **1,040.00**.

- The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **12-2475**.

Dated:

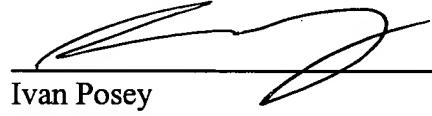
8/30/2001

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Respectfully submitted,

LYON & LYON LLP

By:



Ivan Posey
Reg. No. 43,865

Patent
Attorney Docket 261/246



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

LAZARESCU et al.

Serial No.: **09/847,642**

Filed: May 1, 2001

For: **SYSTEM AND METHOD FOR PERFORMING
SOFTWARE PERFORMANCE ESTIMATIONS**

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

[Handwritten signature]

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Before examination, please amend the above application as follows.

IN THE SPECIFICATION

Please change the title of the application to "SYSTEMS AND METHODS FOR
PERFORMING SOFTWARE PERFORMANCE ESTIMATIONS"

Please insert a new paragraph before paragraph [0001], as follows:

This application claims the benefit of US Provisional Patent Application No. 60/201,540
filed May 2, 2000 entitled "SYSTEM AND METHOD FOR PERFORMING SOFTWARE
PERFORMANCE ESTIMATION" and naming Marcello Lajolo et al. as inventors, which
application is incorporated herein by reference, in its entirety.

IN THE CLAIMS

09/06/2001 SDEHBOB1 00000119 122475 09847642

01 FC:102	320.00 CH
02 FC:103	720.00 CH

Please add the following new claims: